

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Lianne May	Team: Squad #07	CCRB Case #: 202207963	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 11/18/2022 10:09 PM	Location of Incident: Southwest Corner of Utica Avenue and Clarkson Avenue	18 Mo. SOL 5/18/2024	Precinct: 71		
Date/Time CV Reported Mon, 11/21/2022 9:39 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 11/21/2022 9:39 AM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. PO Roger Haynes	19893	964047	PBBS SU PST		
2. SGT Michael Venditti	03739	952318	PBBS SU PST		
3. PO Dia Abdallah	28181	966920	PBBS SU PST		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. DTS Andreas Sargent	05328	943785	PBBS SU PST		
2. PO Marco Monte	29396	965349	PBBS SU PST		
3. PO Junaid Saeed	07200	963733	PBBS SU PST		
Officer(s)	Allegation	Investigator Recommendation			
A . PO Dia Abdallah	Abuse: Police Officer Dia Abdallah stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.				
B . PO Roger Haynes	Abuse: Police Officer Roger Haynes stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.				
C . SGT Michael Venditti	Abuse: Sergeant Michael Venditti stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.				
D . SGT Michael Venditti	Discourtesy: Sergeant Michael Venditti spoke discourteously to § 87(2)(b)				
E . SGT Michael Venditti	Off. Language: Sergeant Michael Venditti spoke offensively regarding § 87(2)(b) perceived disability.				

Case Summary

§ 87(2)(b) filed this complaint through the CCRB call processing system on November 21, 2022 (BR1).

On November 18, 2022, § 87(2)(b) was driving with his friend, § 87(2)(b) when Patrol Borough Brooklyn South Police Officers Dia Abdallah and Roger Haynes and Sergeant Michael Venditti stopped him at the southwest corner of Utica Avenue and Clarkson Avenue in Brooklyn at 10:09PM (**Allegations A-C: Abuse of Authority,** § 87(2)(g) § 87(2)(b) became irate and continually argued with the officers, prompting Sgt. Venditti to state he was “acting crazy” (**Allegation D: Discourtesy,** § 87(2)(g) **Allegation E: Offensive Language,** § 87(2)(g) § 87(2)(b) told the officers that he is an officer with the Federal Reserve and legally allowed to carry his personal loaded firearm. Sgt. Venditti, after investigating on scene, then arrested § 87(2)(b) for illegally having the loaded firearm. When Sgt. Venditti verified with the Federal Reserve that § 87(2)(b) was legally allowed to carry his firearm, Sgt. Venditti voided the arrest.

The investigation received footage from the 71 Precinct stationhouse (BR2) that did not show any allegations and were not used to analyze the alleged misconduct. The investigation also received nine body-worn camera (BWC) videos (BR3).

Findings and Recommendations

Allegation A- Abuse of Authority: Police Officer Dia Abdallah stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation B- Abuse of Authority: Police Officer Roger Haynes stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation C- Abuse of Authority: Sergeant Michael Venditti stopped the vehicle in which § 87(2)(b) and § 87(2)(b) were occupants.

Allegation D- Discourtesy: Sergeant Michael Venditti spoke discourteously to § 87(2)(b).

Allegation E- Offensive Language: Sergeant Michael Venditti spoke offensively regarding § 87(2)(b) perceived disability. § 87(2)(b) explained that he works as an officer with the Federal Reserve District 2. He always carries his credentials (BR4) in a “commission book” with him. These credentials show his Federal Reserve shield, ID, and business card. The shield and Federal Reserve identification in the commission book state, “whose signature and photograph appear below, is a duly commissioned federal law enforcement officer of the Federal Reserve, authorized to carry firearms, make arrests for offenses against the United States, and access law enforcement information pursuant to Section 11 (q) of the Federal Reserve Act (12 U.S.C. 248) (q) in performance of official duties.”

§ 87(2)(b) told the CCRB that he submitted the serial numbers of his personal firearm to the Federal Reserve when he began working there three years ago. Therefore, his credentials prove he is an officer and can legally carry his personal firearm, a Glock 19, on and off duty. Federal Reserve protocol is that no one, including any law enforcement officer, can take the credentials or commission book away from § 87(2)(b). His driver’s license is in the back of the commission book (BR5).

On November 18, 2022, § 87(2)(b) was driving his own car that has tinted windows with his friend, § 87(2)(b) on Utica Avenue. § 87(2)(b) had his personal firearm loaded in his hip holster under his clothes. § 87(2)(b) was not on duty for the Federal Reserve during this incident. At 10:09PM at the southwest corner of Clarkson Avenue and Utica Avenue in Brooklyn, PO Haynes, PO Abdallah, and Sgt. Venditti pulled him over but never told him why they pulled him

over. The officers asked for his license and registration and § 87(2)(b) provided his commission book. When the officers tried to walk away with the commission book, § 87(2)(b) began to argue with them because his Federal Reserve protocol dictates that no officer can take away his commission book (BR5).

Voided arrest report # § 87(2)(b) notes § 87(2)(b) was arrested for criminal possession of a loaded firearm after being stopped for excessive window tints. Officers later verified § 87(2)(b) was an employee of the Federal Reserve and verified the serial number of the firearm with § 87(2)(b) the Federal Reserve (BR6).

In Sgt. Venditti's BWC (BR7), from 1:00-1:11, § 87(2)(b) vehicle has extremely tinted windows so much that Sgt. Venditti's flashlight can hardly see into the interior. At 1:45, Sgt. Venditti goes to the driver's side where PO Abdallah and PO Haynes are arguing with § 87(2)(b) because § 87(2)(b) provided his commission book and PO Haynes is going to check it at the back of the vehicle. § 87(2)(b) tells PO Abdallah that PO Haynes needs to check his commission book in front of him and not at the back of the car. PO Abdallah asks § 87(2)(b) where he works and § 87(2)(b) states he works at the Federal Reserve. PO Abdallah asks him why he is so angry and § 87(2)(b) while continually interrupting the officers, states that the officers cannot take away his book to hold. PO Abdallah states that they cannot look at the ID in front of him as it is for their safety. Sgt. Venditti states that § 87(2)(b) is shaking and making him nervous. PO Abdallah states that they will give his ID back and § 87(2)(b) says "it don't work like that." PO Abdallah corrects him and states, "it does work like that." Sgt. Venditti tells him to relax, and they will take him out of the car. § 87(2)(b) requests the supervisor and Sgt. Venditti tells him he is the supervisor. At 3:39, § 87(2)(b) states he is carrying a firearm, and Sgt. Venditti states he knows he is. Sgt. Venditti states he will take off the seat belt and § 87(2)(b) argues further about Sgt. Venditti making something out of nothing. At 4:10, § 87(2)(b) gets out of the car and Sgt. Venditti takes the firearm from § 87(2)(b) left hip holster and states he is "acting crazy." From 11:30-11:45, officers are looking at § 87(2)(b) commission book at the back of the car. § 87(2)(b) is in handcuffs. § 87(2)(b) asks Sgt. Venditti to read his commission book and Sgt. Venditti states he read it, but his computer checks still show that he cannot carry a firearm. Sgt. Venditti states that § 87(2)(b) is "acting crazy" again. § 87(2)(b) again begins to argue with Sgt. Venditti.

Sgt. Venditti explained PO Haynes, PO Abdallah, and Sgt. Venditti were driving when they saw that all the windows of § 87(2)(b) vehicle had excessive tints. They collectively decided to pull him over because of this. After this decision but before stopping him, PO Haynes or PO Abdallah ran a warrant check on § 87(2)(b) license plate. The officers learned that the plate was registered to § 87(2)(b) and § 87(2)(b) had numerous previous arrests for a possessing a loaded firearm. This caused the officers to be careful upon approach. § 87(2)(b) provided his credentials from the Federal Reserve, but they looked fake to the officers and as is needed for any identification provided, the officers needed to verify that § 87(2)(b) was indeed a Federal Reserve officer. When the officers tried to look at § 87(2)(b) credentials, § 87(2)(b) became problematic, irate, and uncooperative by shaking his hands and arguing with them. § 87(2)(b) also told the officers he had a loaded firearm. None of the officers had ever interacted with or had training regarding Federal Reserve officers and Sgt. Venditti did not know if being a Federal Reserve officer alone allowed him to carry a firearm. Sgt. Venditti repeatedly stated § 87(2)(b) was "acting crazy" because of the way § 87(2)(b) was acting, especially because he had a loaded firearm, and he was supposed to be an officer. Sgt. Venditti used "crazy" to describe § 87(2)(b) demeanor and not as a medical description as he was insane (BR8).

Section 375 (12-a) of the NYS Vehicle and Traffic Law does not allow a windshield or front side windows that are dark (BR9).

Patrol Guide Procedure 200-02 states that The Department is committed to accomplishing its mission of protecting the lives and property of all citizens of New York City by treating every citizen with compassion, courtesy, professionalism, and respect (BR10).

§ 87(2)(b) told the CCRB that his vehicle has tinted windows. Sgt. Venditti's BWC and testimony shows that the windows were tinted in the car. § 87(2)(g)

As per BWC and Sgt. Venditti's testimony, § 87(2)(b) was becoming upset and yelling at the officers while still carrying a loaded firearm. Sgt. Venditti called § 87(2)(b) "crazy" multiple times because § 87(2)(b) was stating he was an officer, but still acting irate, nervous, and uncooperative with the officers. Sgt. Venditti explained that he but never thought § 87(2)(b) was medically insane. § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a subject (BR11).
- Sergeant Michael Venditti has been a member of service for 11 years and has been a subject in 7 CCRB complaints and 16 allegations, none of which were substantiated. § 87(2)(g)
- Police Officer Roger Haynes has been a member of service for five years and has been a subject in one CCRB complaint and two allegations, none of which were substantiated. § 87(2)(g)
- Police Officer Dia Abdallah has been a member of service for four years and has been a subject in one CCRB complaint and three allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil, and Criminal Histories

- § 87(2)(b) did not decide if he wanted to mediate the complaint and did not respond to contact attempts in regards.
- As of December 23, 2022, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this incident (BR15).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 7

Investigator: Lianne May
Signature

Investigator Lianne May
Print Title & Name

March 17, 2023
Date

Squad Leader:	_____	Manager Vanessa Rosen	March 20, 2023
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date